

CERTIFIED ACCESS SPECIALIST PROGRAM
OPEN PUBLIC WORKSHOP
Division of the State Architect

Minutes of Open Public Workshop
April 4, 2006

California Community Colleges Building
1102 Q Street, 3rd Floor, Conference Rooms A, B, and C
Sacramento, California

Workshop Facilitator

Ingrid Hart

DSA Staff

Rod Higgins
Michael Mankin
Andreas Michael
Mark Smith

Public Participants

Ron Armstrong
Mary Jo Camp, certified kitchen and bath designer and certified interior designer
Marie Chan, certified interior designer
Kurt Cooknick, American Institute of Architects
Bruce Goff, Coalition for Interior Design Accountability
Camille Horton, certified interior designer
Carole Loeffler, occupational therapist
Michael Lynch
Margie Lyttle, National Kitchen & Bath Association, Northern California Chapter
Francee Moller
Molly Ann Sherman, certified kitchen and bath designer and certified interior designer
Peggy Shaw, design student
Don Pope, American Institute of Building Designers
Terelle Terry
Chris Vaughn
Adele Visser, certified kitchen and bath designer and certified interior designer
Suzanne Zoanaga, certified interior designer

1 Welcome and Introductions

2 (* Tape starts after meeting began.)

3 Mr. Michael Mankin explained that this public workshop was the last of four scheduled
4 meetings to gather input on the proposed CAsp (Certified Access Specialist) program.
5 He noted the revised document reflects changes made because of comments made at

1 previous meetings, and he encouraged all stakeholders to provide feedback and
2 articulate their concerns so they can be addressed by DSA.

3
4 Mr. Mankin noted the goal of the proposed CASp program is to professionalize and
5 standardize how access compliance requirements are interpreted. He said the program
6 also recognizes that rules alone do not completely satisfy the need for an equitable
7 outcome for people with disabilities. Mr. Mankin stated that building codes provide a
8 recipe-like approach for preventing discrimination, but they do not ensure usability.

9
10 **Public Comments**

11 Ms. Hart noted Mr. Mark Smith would introduce the first topic, and then she would begin
12 calling speakers from the blue cards.

13
14 **Certification Classifications and Qualifications**

15 Mr. Smith asked how many people in the audience were interested in being certified,
16 how many worked for stakeholder organizations, and how many were disability rights
17 advocates, and there was a show of hands on each topic. He welcomed everyone to
18 the workshop.

19
20 Mr. Smith said DSA understands that accessibility is a cross-disciplinary issue that
21 requires collaboration from everyone in the construction sector. He described the
22 establishment of the Implementation Advisory Committee that created the basic
23 framework for the CASp program, teams of subject matter experts who helped develop
24 test questions, and members of the public and stakeholder groups who have been
25 providing input throughout the process. Mr. Smith noted the new CASp program will

1 evolve over time, and DSA hopes it can be expanded to other specialty areas in the
2 future.

3

4 Mr. Smith said that in responding to the enabling legislation mandating establishment of
5 a certification program for disability accessibility specialists, DSA looked at several
6 possible classifications and decided to focus first on two kinds of specialists:
7 investigators, who identify accessibility problems, and architects, who solve accessibility
8 problems. He said DSA hopes to implement a new classification for plan reviewers as
9 soon as possible. He drew attention to the written descriptions of the Certified Access
10 Investigator and Certified Access Architect classifications.

11

12 Mr. Smith reported that DSA received feedback at early public meetings about the need
13 to broaden classifications to recognize people with great expertise in the field of
14 accessibility who gained experience in nontraditional ways. He said that in response,
15 DSA added broader experience criteria to reflect those kinds of backgrounds.

16

17 Mr. Smith noted DSA has also received public comments recommending inclusion of
18 landscape architects, registered engineers, and certified interior designers. He
19 commented that he was impressed to learn how accessibility is embedded within
20 interior design methodologies. Mr. Smith advised that DSA is likely to change the
21 category of "Certified Access Architect" to "Certified Access Design Professional" to
22 include these other fields.

23

24 Mr. Chris Vaughn noted some of the non-traditional experience qualifications for the
25 Certified Access Investigator appear to go beyond the statute and leave out many
26 qualified people. He recommended broadening the qualifications to reflect the three

1 areas specified in Government Code Section 4459.5: 1) knowledge sufficient to review,
2 inspect, or advocate; 2) specified training; and 3) testing.

3

4 Mr. Smith thanked Mr. Vaughn for his comments. He encouraged other participants to
5 make suggestions in this area as well.

6

7 Mr. Mankin said DSA started with the idea that all investigators were plan reviewers, but
8 the staff later learned that many qualified experts would be excluded under that
9 definition. He noted the CASp program has become more inclusionary to recognize
10 other kinds of specialized knowledge.

11

12 Ms. Margie Lyttle introduced herself as a master certified kitchen and bath designer, but
13 said she was speaking at this workshop on behalf of the Northern California Chapter of
14 the National Kitchen and Bath Association. She objected to restricting the certified
15 design access specialist designation to architects only and excluding other design
16 professionals.

17

18 Ms. Lyttle said the National Kitchen and Bath Association has a complete set of
19 specifications and planning guidelines for the design of kitchens and bathrooms, and
20 certified kitchen and bath designers have all undergone testing in those areas. She
21 noted the Association also has thousands of test questions with exact references to
22 where answers can be found. She recommended contacting the Association for help in
23 developing the exams.

24

25 Ms. Lyttle talked about the CAPS program, co-sponsored by the National Association of
26 Homebuilders/Remodelers Council and AARP, which provides practical, market-specific

1 information about working with older adults to remodel homes for aging in place. She
2 cited a number of other professional organizations, training programs, and certification
3 programs and urged DSA to take advantage of these resources.

4

5 Ms. Lyttle recommended expanding the certification program to include CAPS
6 specialists in residential design.

7

8 Mr. Smith stated that DSA is involved in public school construction and some
9 commercial construction, but accessibility requirements for residential structures are not
10 within DSA's purview. He acknowledged that accessibility in kitchens and baths can
11 involve both commercial and residential buildings.

12

13 Mr. Mankin said DSA is aware of the CAPS program. He noted DSA is likely to end up
14 proposing two classifications, a Certified Access Investigator and a Certified Access
15 Design Professional, so there will be nothing excluding different kinds of design
16 professionals.

17

18 Ms. Lyttle asked that the National Kitchen and Bath Association be added to DSA's
19 mailing list. Mr. Smith commented that there may be a need in the future for a "Certified
20 Accessible Housing Specialist" classification.

21

22 Ms. Marie Chan, certified interior designer, stated that professional interior designers
23 are knowledgeable about accessibility and should be included in the certification
24 program. She noted many speakers at previous meetings expressed concern about
25 architects who still do not incorporate accessibility in their designs, and some people
26 mentioned the lack of education in this field for architecture students. Ms. Chan

1 encouraged DSA to move forward with the certification program as a way of improving
2 accessibility in California. She recommended including design professionals other than
3 architects.

4

5 Ms. Molly Ann Sherman, certified kitchen and bath designer and certified interior
6 designer, expressed support for including all types of qualified design professionals in
7 the DSA certification program.

8

9 Ms. Sherman explained the differences in interior design and kitchen and bath design
10 certifications. Mr. Smith asked participants to provide DSA with the names of their trade
11 associations and certification groups so they can be included on the mailing list.

12

13 Ms. Adele Visser, certified kitchen and bath designer and certified interior designer,
14 expressed support for Ms. Sherman's comments. She urged DSA not to ignore these
15 important segments of the design industry.

16

17 Ms. Visser said the proposed CASp classification of Certified Access Architect will drive
18 up costs of residential projects because owners will be forced to hire architects, who are
19 often unwilling to take on small projects.

20

21 Mr. Higgins expressed his appreciation to the speakers for their comments. He
22 confirmed DSA's intention of making the program as inclusionary as possible.

23

24 Ms. Visser agreed with other speakers that people other than architects should be
25 included in the certification program.

26

1 Ms. Camille Horton, certified interior designer, described her educational background
2 and work experience. She said she uses architects and engineers on projects only
3 when necessary, and she expressed concern that limiting certification to architects will
4 cost consumers more money. She asked if access investigators will still be able to pull
5 permits for non-structural and non-seismic aspects of construction.

6

7 Mr. Mankin clarified that this program makes no changes in existing laws and existing
8 permit processes. He said existing practitioners can continue to provide services. He
9 noted the purpose of certification is to recognize competency in certain core areas, and
10 it is not intended to prevent or limit anyone in any way.

11

12 Ms. Peggy Shaw, design student, commented that she could become a licensed
13 physician faster than becoming a certified interior designer. She said students often
14 feel there are disconnects and conflicts among professional organizations in California
15 rather than unity and solidarity.

16

17 Ms. Shaw welcomed suggestions for classes students should take to find out more
18 about accessibility in commercial buildings. Mr. Higgins said he learned at the March
19 31 workshop about many resources available in terms of training and education. He
20 added that the package submitted by CIDA was very impressive.

21

22 Mr. Higgins advised that DSA is developing its own educational resource in the DSA
23 Academy. He encouraged students to take advantage of all these resources.

24

25 Mr. Smith offered to provide Ms. Shaw with more detailed information after the meeting.

26

1 Ms. Mary Jo Camp, certified kitchen and bath designer and certified interior designer,
2 said she was speaking on behalf of the California Council for Interior Design
3 Certification. She noted Mr. Doug Stead, her associate, spoke at the March 31
4 workshop in San Diego.

5

6 Ms. Camp applauded DSA for developing the certification program. She expressed
7 support for one certification title for all design professionals, noting that too many
8 specific titles will exclude qualified people, and end users will suffer as a result.

9

10 Mr. Mankin thanked Ms. Camp for her comments. He said DSA arrived at two
11 classifications to address two distinct roles requiring different qualifications and
12 backgrounds. He stated that as a result of comments in San Diego and at this meeting,
13 DSA will be reconsidering the classifications.

14

15 Ms. Camp talked about the certification qualifications and testing process for interior
16 designers in California.

17

18 Mr. Don Pope, American Institute of Building Designers, expressed concern about the
19 impact of the CAsp program on the current exemption for design of triplexes and four-
20 plex dwellings. He noted model homes in many jurisdictions are also required to be
21 accessible.

22

23 Mr. Mankin commented that broadening the classification to allow all kinds of design
24 professionals will address Mr. Pope's issue. He clarified again that DSA has no
25 intention of limiting anyone's abilities to design buildings. He said the staff will clarify

1 this issue in the “Frequently Asked Questions” section of the DSA Website, and he
2 offered to follow up with Mr. Pope after the meeting.

3

4 Ms. Francee Moller emphasized that certification was never intended to be limited to
5 architects. She noted a key purpose of the CASp program is to help investigators
6 become more sensitive to accessibility issues so they can better identify problems and
7 advise clients. She said the purpose of training should be to train people to look for
8 what is different.

9

10 Ms. Moller pointed out that buildings are being constructed that consistently miss certain
11 basic accessibility features, and the certification program will help stop people from
12 claiming expertise they do not have. She thanked DSA for including an accountability
13 component in the CASp program as well.

14

15 Ms. Moller asked if DSA will publish a list of all the things candidates will be tested on.

16 Mr. Mankin responded that the staff will compile a list of the statutory requirements and
17 resources reflecting the body of knowledge necessary to pass the certification exam.

18 He said the CASp program will focus on developing the profession to improve
19 consistency and clarity, and the body of knowledge will expand in the future.

20

21 Ms. Moller offered her assistance in advocating and lobbying for adoption of the CASp
22 program. Mr. Mankin thanked Ms. Moller for her comments.

23

24 Ms. Suzanne Zoanaga, certified interior designer, asked if DSA would consider using
25 existing certification tests. She noted there are standardized accessibility tests

1 available without California requirements. She encouraged DSA to consider a simpler
2 way of testing people rather than adding another layer.

3
4 Mr. Smith stated that DSA is actively working on test development and has hired
5 psychometric experts to validate test questions to ensure they match the skills and
6 competencies being testing. For this reason, he noted, it would be difficult to use a
7 standard test.

8
9 Ms. Carole Loeffler, occupational therapist, described her work helping disabled people
10 identify appropriate accommodations, modifications, and adaptations. She noted the
11 CASp program has no role for occupational therapists. She questioned the full-time
12 experience requirement, which discriminates against people who are unable to work full-
13 time for disability, health, and family reasons.

14
15 Ms. Loeffler noted accessibility in design goes beyond wheelchair access to issues of
16 balance and fatigue. She said kitchens and break rooms in many commercial settings
17 are not designed for accessibility. She urged DSA to broaden the certification
18 classifications to recognize different kinds of expertise.

19
20 Mr. Kurt Cooknick, American Institute of Architects, California Council, noted this is an
21 issue of interest for architects because they work with interior designers and other
22 design professionals and appreciate their great value. When looking at classifications,
23 he recommended that DSA consider that licensed individuals are bound by a higher
24 standard of care than others. He added that AIA shares other stakeholders' interest
25 and focus on improving accessibility. Mr. Cooknick recommended that DSA seek input
26 from CALBO and other professional organizations.

1

2 **Expected Knowledge and Professional Roles of Certified Access Specialists**

3 Ms. Hart asked people wishing to speak on this topic to submit green forms.

4

5 Mr. Smith noted there are certain provisions of the accessibility requirements that are
6 clear, but the CASp program provides a way of dealing with requirements that are not
7 as clear. He said the Implementation Advisory Committee focused on three major
8 programmatic objectives: 1) bringing clarity to issues of accessibility; 2) improving
9 consistency of interpretation; and 3) encouraging greater collaboration among
10 professionals. He described how the committee defined the job functions and roles of
11 certified access specialists and then identified the knowledge required to perform these
12 services competently.

13

14 With respect to the Certified Access Investigator classification, Mr. Smith commented
15 that the biggest area of disagreement so far pertains to scoping, or determining what
16 accessibility requirements apply to individual projects. He said there was general
17 agreement that the body of knowledge should include the ability to conduct field
18 measurements and survey buildings to identify deficiencies. To prevent unfair or
19 subjective determinations, Mr. Smith noted, DSA will require a code reference for each
20 deficiency noted in a report.

21

22 Mr. Smith stated that DSA is required by law to notify applicants about the contents of
23 the exam so people can prepare.

24

25 Mr. Smith noted that broadening the second certification classification to “Certified
26 Access Design Professional” will address many of the concerns raised by speakers so

1 far. He said the law already indicates that building owners are liable for providing
2 accessibility, a task that can be transferred to the design professional. He advised that
3 DSA has not fully identified the skill set appropriate for this classification, and he
4 welcomed collaboration from stakeholders in that task. Mr. Smith said core knowledge
5 should include understanding the legal roles and responsibilities of owners and design
6 professionals, designing for “equivalent facilitation” in hardship cases, and familiarity
7 with principles of universal design.

8

9 Mr. Smith noted DSA is at the threshold of developing the exam of the design
10 professional classification, and he invited interested people to participate in that
11 process.

12

13 Mr. Bruce Goff, Coalition for Interior Design Accountability, described his own
14 experience in the field of accessible design. He observed that DSA’s focus on using
15 only architects for that certification classification seems to be based on the recognized
16 standard of care, standard body of knowledge, and licensure organization already in
17 place. He asked whether DSA had sufficient resources to revise the classifications,
18 identify core knowledge, and develop appropriate exam questions to deal with other
19 kinds of design professionals.

20

21 Mr. Mankin responded that DSA originally focused on architects because they seemed
22 to be one component of the accessibility problem that could be addressed. He noted
23 DSA hoped the certification program would serve as an incentive to encourage
24 architects to focus more on accessibility. He said DSA has since become aware of
25 other kinds of design professionals with special expertise that should be recognized.

26

1 Mr. Mankin noted DSA is pleased to hear about existing classes and certification
2 programs, and he thanked stakeholders for bringing these resources to the staff's
3 attention.

4

5 Mr. Goff expressed support for improving consistency and uniformity. He added that
6 CASp should be viewed as a tool that will raise the bar for the entire field.

7

8 Ms. Margie Lyttle noted architects receive little or no training in accessibility issues, but
9 there are recognized bodies of knowledge in other design specialty areas that DSA
10 should use. She recommended opening the certification to people other than architects
11 and landscape architects.

12

13 Mr. Mankin again confirmed DSA's intent to be inclusive. Mr. Higgins urged
14 stakeholders to clarify this point with their constituents.

15

16 Mr. Smith stated that in order to develop an appropriate exam for access specialists,
17 DSA has to first define a body of knowledge. He noted the interior design community's
18 resources on accessibility are far superior to those in the architectural community, and
19 he welcomed additional information from professional organizations about their bodies
20 of knowledge, educational materials, and test questions.

21

22 Mr. Michael Lynch, said he was in the process of taking exams to obtain an architectural
23 license. He clarified that the exams do test candidates on principles of universal design.
24 He asked if DSA will provide materials to help people study for the access specialist
25 exams.

26

1 Mr. Mankin said DSA will identify a body of documents that candidates will be expected
2 to know for the certification exam. He added that as the CASp program evolves, the
3 demand will result in better training programs and study resources. He encouraged
4 stakeholder organizations to collaborate to develop educational materials.

5

6 Mr. Mankin reported that DSA is also working to identify and resolve conflicts between
7 federal and state code provisions pertaining to accessibility.

8

9 Mr. Smith observed that the CASp program is not creating a new profession, but only a
10 certification program to recognize specific levels of expertise in the field of access. He
11 said the CASp program can be instrumental in promoting and disseminating best
12 practices, clarifying gray areas, establishing standards of practice, and improving
13 consistency.

14

15 Ms. Carole Loeffler noted the required knowledge base proposed for the Certified
16 Access Architect classification includes applied principles of universal design.

17

18 Ms. Loeffler asked for clarification of the criterion indicating Certified Access
19 Investigators “may provide professional design services, as limited by the Architects
20 Practice Act.” She said that as an occupational therapist, her involvement starts before
21 construction as well as after the fact, and she asked for clarification of this statutory
22 limitation.

23

24 Mr. Smith explained that the Architects Practice Act defines who can design buildings of
25 various types, and the purpose is to protect the public from bad practitioners. He noted
26 there are exemptions for certain kinds of projects. Mr. Smith said the law requires

1 architects for projects involving structural and seismic work, but other projects can be
2 done by other kinds of design professionals.

3

4 Mr. Ron Armstrong, city building official, plans examiner, and inspector, questioned the
5 need to include the ANSI code in the body of knowledge. Mr. Mankin said an
6 investigator might be looking at a building constructed under ANSI standards before the
7 ADA regulations were adopted.

8

9 Mr. Armstrong asked if any of DSA's IR's would be affected by the CASp program. Mr.
10 Higgins said DSA's CASp unit is separate from the Code Regulation and Enforcement
11 unit. He clarified that CASp deals only with certification, while Code Regulation and
12 Enforcement deals with IR's, building codes, and standards. He added that the
13 certification exam will not cover IR's.

14

15 Mr. Chris Vaughn referred to Section 602 of the proposed provisions, and questioned
16 the meaning of the reference to "California access standards." Mr. Mankin said the staff
17 originally thought about listing the documents and standards, but some of those items
18 still need to be developed, so a succinct list was chosen for this initial draft.

19

20 Mr. Vaughn noted the investigator's reports are supposed to include risk assessment
21 advice for building owners, and he asked for more details about that component. Mr.
22 Mankin explained the DSA recognized that code compliance does not necessarily
23 address all the risk issues, and that civil rights liabilities need to be assessed apart from
24 code compliance. He said owners need to know the extent of their risks so they can
25 make informed decisions about how to respond. He noted some owners are very
26 sensitive and risk-averse, while others prefer to wait until there are complaints or

1 problems before taking action. Mr. Mankin pointed out that another purpose of the
2 report is to show owners were notified and made a conscious choice.

3

4 Mr. Vaughn recommended spelling out what elements should be included in the risk
5 assessment part of the report.

6

7 Mr. Vaughn asked if the standards of practice in Section 604 and 605 were the same.

8 Mr. Smith explained the distinction between standards of practice and consulting
9 standards. He noted the standards of practice serve as rules to guide professionals,
10 while the consulting standards were developed to protect consumers from bad
11 practitioners.

12

13 Ms. Francee Moller recommended incorporating sensitivity to policies, procedures, and
14 services in the certified access specialist training. As an example, she mentioned
15 hotels offering different services to disabled guests.

16

17 Mr. Smith commented that it would be helpful to highlight inspection hot spots for
18 different kinds of buildings.

19

20 Ms. Moller asked if there were any exam questions on these issues. Mr. Mankin noted
21 building codes are generally silent on the subject of services and policies. He said
22 certified access specialists would be expected to address these kinds of deficiencies in
23 their reports, and omissions of this kind would be exposed as shortcomings in future
24 audits. Ms. Moller advocated including a service question on the exam.

25

1 Mr. Smith explained that the test questions were based on a detailed job analysis and
2 identification of the required knowledge, skills, and abilities. He said there are only 200
3 questions on the exam, so it cannot possibly cover every aspect of accessibility. He
4 commented that it might be better to highlight hot spots and standards of practice.

5

6 Mr. Higgins noted the investigative standards indicate reports need to deal with code
7 compliance as well as risk management issues. He said policies, procedures, and
8 services should be part of the risk management analysis.

9

10 Ms. Terelle Terry urged DSA to put some teeth in accessibility regulations. She said
11 she has observed numerous examples of inaccessible buildings, including the State
12 Capitol. She noted after numerous meetings with state officials and DSA
13 representatives, it was determined that some restrooms in the State Capitol would not
14 be made accessible. She observed that after thirty years of regulations, access is still
15 not enforced, and the state still has no ADA compliance unit.

16

17 Ms. Terry emphasized the need to put an immediate end to willful noncompliance on the
18 part of building owners and building officials. She urged DSA to prohibit this kind of
19 discrimination and take more effective steps to enforce accessibility requirements.

20

21 Ms. Terry said 60 percent of the people who died in Hurricane Katrina were poor and
22 disabled and had no way out. She recommended focusing on ingress, egress, and
23 emergency response plans for state buildings. She said the occupants of buildings are
24 as important as structures and services.

25

1 Ms. Terry identified three components of achieving accessibility in a building:
2 designers, enforcers, and providers of service to the building.

3

4 There was general discussion about the need for local building officials to enforce
5 accessibility requirements.

6

7 **Program Oversight, Public Confidence and Handling of Complaints**

8 Mr. Smith explained the distinction between licensing and certification, and noted this
9 difference is also reflected in the kinds of disciplinary systems provided. He said the
10 focus of the disciplinary system proposed for the CASp is on investigating complaints
11 about unprofessional behavior and providing an administrative hearing process to
12 resolve performance issues.

13

14 Mr. Smith noted the concept of a standard of care is fundamental to the accountability
15 system. He said DSA expects that the standard of care will increase as the CASp
16 program evolves and more people become certified.

17

18 Ms. Hart advised that no speakers had signed up to comment on this topic.

19

20 **Other Questions and Issues**

21 Participants talked about some of their personal experiences dealing with accessibility
22 problems.

23

24 Ms. Moller noted SB 262 requires enforcement. She advised that one out of every five
25 people in the U.S. has a disability, and more and more people will need accessibility as
26 the Baby Boomer group ages and lives longer. She said two-story houses are not

1 accessible for many older people. She emphasized that there needs to be a whole new
2 way of thinking about accessibility.

3

4 One audience member talked about the resources and energy required for citizens to
5 fight for ADA enforcement. She noted local governments need more qualified code
6 enforcement people to provide the necessary support.

7

8 Mr. Armstrong urged other stakeholders to work together with DSA to support the CASp
9 program as a positive step toward improving accessibility in California.

10

11 A participant noted more children with disabilities are being born, Baby Boomers are
12 aging, and there are huge segments of the population that will need accessibility
13 accommodations. She urged DSA to take the lead in addressing these needs.

14

15 Mr. Smith said DSA plans to develop sensitivity training for all certified access
16 specialists in the future to help them understand the challenges faced by people with
17 different kinds of disabilities. Mr. Smith reported that DSA is working with the
18 community colleges to develop educational programs and classes in access plan review
19 and field investigations.

20

21 **Workshop Wrap-Up**

22 Ms. Hart thanked all participants for their comments.

23

24 **Adjournment**

25 Mr. Hart thanked everyone who attended the public workshop and DSA staff. There
26 being no further business, the open public workshop was adjourned at 5:00 p.m.